

**UTAH DIVISION OF SOLID AND HAZARDOUS WASTE  
CLASS IVb SOLID WASTE PERMIT**

**Holden Town  
CLASS IVb LANDFILL**

Pursuant to the provisions of the *Utah Solid and Hazardous Waste Act*, Title 19, Chapter 6, Part 1, Utah Code Annotated (Utah Code Ann.) (the Act) and the *Utah Solid Waste Permitting and Management Rules*, Utah Administrative Code R315-301 through 320 adopted thereunder, a Permit is issued to

Holden Town Corporation as owner and operator

to own and operate the Holden Town Landfill located in Section 35, Township 19 South, Range 4 West, Salt Lake Base and Meridian, Millard County, Utah as shown in the Permit Application that was determined complete on *(insert date of draft permit cover letter and DSHW tracking number)*.

The Permittee is subject to the requirements of R315-301 through 320 of the Utah Administrative Code and the requirements set forth herein.

All references to R315-301 through 320 of the Utah Administrative Code are to regulations that are in effect on the date that this Permit becomes effective.

This Permit shall become effective \_\_\_\_\_.

This Permit shall expire at midnight \_\_\_\_\_.

Closure Cost Revision Date:\_\_\_\_\_.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Scott T. Anderson, Director  
Division of Solid and Hazardous Waste

## FACILITY OWNER/OPERATOR INFORMATION

LANDFILL NAME: Holden Town Landfill

OWNER NAME: Holden Town Corporation

OWNER ADDRESS: P.O. Box 360127  
Holden, Utah 84636

OWNER PHONE NO.: (435) 795-2213

OPERATOR NAME: same as above

OPERATOR ADDRESS: same as above

OPERATOR PHONE NO.: same as above

TYPE OF PERMIT: Class IVb Landfill

PERMIT NUMBER: 1401

LOCATION: Landfill site is located in Township 19 South, Range 4 West, Section 35, SLMB; Millard County, Latitude N 39° 07' 08", Longitude West 112° 16 min' 23 sec"

PERMIT HISTORY Permit signed insert date signed

The term "Permit" as used in this document is defined in R315-301-2(55) of the Utah Administrative Code. "Director" as used throughout this Permit refers to the Director of the Division of Solid and Hazardous Waste.

Attachments to this Permit are hereby incorporated into this Permit. All representations made in the attachments of this Permit are enforceable under R315-301-5(2) of the Utah Administrative Code. Where differences in wording exist between this Permit and the attachments, the wording of this Permit supersedes that of the attachments.

This Permit consists of the signature page, Facility Owner/Operator Information section, Sections I through V and attachments.

The facility as described in this Permit consists of a Class IVb waste disposal cell.

Compliance with this Permit does not constitute a defense to actions brought under any other local, state or federal laws. This Permit does not exempt the Permittee from obtaining any other local, state or federal permits or approvals required for operation of the landfill.

The issuance of this Permit does not convey any property rights, other than the rights inherent in this Permit, in either real or personal property or any exclusive privileges other than those inherent in this Permit. This Permit does not authorize any injury to private property or any invasion of personal rights, or any infringement of federal, state or local laws or regulations, including zoning ordinances.

The provisions of this Permit are severable. If any provision of this Permit is held invalid for any reason, the remaining provisions shall remain in full force and effect. If the application of any provision of this Permit to any circumstance is held invalid, its application to other circumstances shall not be affected.

By this Permit, the Permittee is subject to the following conditions.

## I. GENERAL COMPLIANCE RESPONSIBILITIES

### A. General Operation

The Permittee shall operate the landfill in accordance with all applicable requirements of R315-305 of the Utah Administrative Code that are in effect as of the date of this Permit unless otherwise noted in this Permit. Any permit noncompliance or noncompliance with any applicable portions of Utah Code Ann § 19-6-101 through 125 and applicable portions of R315-301 through 320 of the Utah Administrative Code constitutes a violation of the Permit or applicable statute or rule and is grounds for appropriate enforcement action, permit revocation, modification or denial of a permit renewal application.

### B. Acceptable Waste

1. Construction/demolition waste as defined in R315-301-2(17) of the Utah Administrative Code;
2. Yard waste as defined in R315-301-2(87) of the Utah Administrative Code;
3. Inert waste as defined in R315-301-2(37) of the Utah Administrative Code;
4. Petroleum contaminated soils as allowed in R315-315-8(3) of the Utah Administrative Code; and
5. Dead animals as defined in R315-315-6 of the Utah Administrative Code.

### C. Prohibited Waste

1. Hazardous waste as defined by R315-1 and R315-2 of the Utah Administrative Code;
2. PCBs as defined by R315-301-2(53) of the Utah Administrative Code, except PCBs specified by R315-315-7(2)(a) and (c) of the Utah Administrative Code;
3. Household waste, except waste resulting from the abatement, rehabilitation, renovation and remodeling of homes and other residences;
4. Municipal waste;
5. Special waste except as specified in this Permit;
6. Regulated asbestos-containing material;
7. Industrial waste as defined in R315-301-2(35) of the Utah Administrative Code;
8. Commercial waste as defined in R315-301-2(14) of the Utah Administrative Code; and
9. Containers larger than household size (five gallons) holding any liquid, non-containerized material containing free liquids or any waste containing free liquids in containers larger than five gallons.

Any prohibited waste accepted for disposal at the facility shall constitute a violation of this Permit, of 19-6-101 through 123 and of R315-301 through 320 of the Utah Administrative Code.

D. Inspections and Inspection Access

The Permittee shall allow the Director or his authorized representative or representatives from the Central Utah Public Health Department to enter at reasonable times and:

1. Inspect the landfill or other premises, practices or operations regulated or required under the terms and conditions of this Permit or R315-301 through 320 of the Utah Administrative Code;
2. Have access to and copy any records required to be kept under the terms and conditions of this Permit or R315-301 through 320 of the Utah Administrative Code;

3. Inspect any loads of waste, treatment facilities or processes, pollution management facilities or processes, or control facilities or processes required under this Permit or regulated under R315-301 through 320 of the Utah Administrative Code; and
4. Create a record of any inspection by photographic, video, electronic, or any other reasonable means.

E. Noncompliance

If monitoring, inspection or testing indicates that any permit condition or any applicable rule under R315-301 through 320 of the Utah Administrative Code may be or is being violated, the Permittee shall promptly make corrections to the operation or other activities to bring the facility into compliance with all permit conditions or rules.

In the event of noncompliance with any permit condition or violation of an applicable rule, the Permittee shall promptly take any action reasonably necessary to correct the noncompliance or violation and mitigate any risk to the human health or the environment. Actions may include eliminating the activity causing the noncompliance or violation and containment of any waste or contamination using barriers or access restrictions, placing of warning signs or permanently closing areas of the facility.

The Permittee shall:

1. Document the noncompliance or violation in the daily operating record, including the day the event occurred or the day it was discovered;
2. Notify the Director by telephone within 24 hours, or the next business day following documentation of the event; and
3. Provide a written notice of the noncompliance or violation and description of measures taken to protect human health and the environment within seven days after notification of the Director.

Within thirty days after the documentation of the event, the Permittee shall submit to the Director a written report describing the nature and extent of the noncompliance or violation and a complete description of all remedial measures taken or to be taken to protect human health and the environment and to eliminate the noncompliance or violation. After review of the assessment report, the Director may order the Permittee to perform additional remedial measures including development of a site remediation plan for approval by the Director.

In an enforcement action, the Permittee may not claim as a defense that it would have been necessary to halt or reduce the permitted activity in order to maintain

compliance with R315-301 through 320 of the Utah Administrative Code and this Permit.

F. Revocation

This Permit may be revoked if the Permittee fails to comply with any condition of the Permit. The Director will notify the Permittee in writing prior to any proposed revocation and such action shall be subject to all applicable hearing procedures established under R305-7 of the Utah Administrative Code and the Utah Administrative Procedures Act.

G. Attachment Incorporation

Attachments to the Permit are incorporated by reference into this Permit and are enforceable conditions of this Permit, as are documents incorporated by reference into the attachments. Language in this Permit supersedes any conflicting language in the attachments or documents incorporated into the attachments.

II. DESIGN AND CONSTRUCTION

A. Design and Construction

The Permittee shall notify the Director upon completion of construction of any landfill cells or run-on and run-off diversion systems. No landfill cells or run-on and run-off diversion system may be used until construction is approved by the Director.

The Permittee shall notify the Director of the completion of construction of any final cover system and shall provide all necessary documentation and shall apply for approval of the construction from the Director.

If ground water is encountered during excavation of the landfill, the Director shall be notified immediately, and a contingency plan implemented or alternative construction design developed and submitted for approval.

B. Run-On Control

The Permittee shall construct drainage channels and diversions as specified in the Plan of Operations in Attachment 2 and shall maintain them at all times to effectively prevent run-on and runoff from the surrounding area from entering the landfill.

### III. LANDFILL OPERATION

#### A. Plan of Operations

The Permittee shall keep the Plan of Operations in Attachment 2 at the location designated in section III-H of this Permit. The Permittee shall operate the landfill in accordance with the Plan of Operations. If necessary, and with the approval of the Director, the Permittee may modify the Plan of Operations, provided that the modification meets all of the requirements of R315-301 through 320 of the Utah Administrative Code, and is as protective of human health and the environment as the Plan of Operations approved as part of this Permit. Any modification must be approved by the Director as a minor modification under R315-311-2(1)(a) of the Utah Administrative Code. The Permittee shall note any modification to the Plan of Operations in the daily operating record.

#### B. Security

The Permittee shall operate the landfill so that unauthorized entry to the facility is restricted. The Permittee shall:

1. Lock all facility gates and other access routes during the time the landfill is closed.
2. Construct all fencing and any other access controls as described in the Plan of Operations in Attachment 2 to prevent access by persons or livestock by other routes.

#### C. Training

The Permittee shall provide training for on-site personnel in landfill operation, including waste load inspection, hazardous waste identification and personal safety and protection.

#### D. Burning of Waste

Intentional burning of solid waste is prohibited and is a violation of R315-303-4(2)(b) of the Utah Administrative Code.

Except as provided in this paragraph, intentional burning of solid waste is prohibited and is a violation of R315-303-4(2)(b) of the Utah Administrative Code. The Permittee is allowed to burn material by complying with the requirements of R307-202-5 of the Utah Administrative Code. The Permittee shall perform such burning in a segregated area within the landfill site. The Permittee's noncompliance with R307-202-5 of the Utah Administrative Code, as determined by the Director, also constitutes non-compliance with this Permit.

The Permittee shall extinguish all accidental fires as soon as reasonably possible.

E. Cover

The Permittee shall cover the waste with a minimum of six inches of earthen cover or as needed to prevent fires and to control vectors, blowing litter, odor, scavenging and fugitive dust.

The Permittee may use an alternative cover material when the material and operation meets the requirements of R315-303-4(4)(b) through (e) of the Utah Administrative Code.

The Permittee shall record in the daily operating record, and the operator shall certify as appropriate, when soil or an alternative cover is placed as needed, the amount and type of cover placed and the area receiving it. Cover requirements for dead animals are found in Section III-L of this Permit.

F. Waste Inspections

The Permittee shall visually inspect incoming waste loads to verify that no wastes other than those allowed by this permit are disposed in the landfill. The Permittee shall conduct one complete inspection per day during landfill hours.

The Permittee shall inspect all loads suspected or known to have one or more containers capable of holding more than five gallons of liquid to ensure that each container is empty.

The Permittee shall inspect all loads that the Permittee suspects may contain a waste not allowed for disposal at the landfill.

G. Self Inspections

The Permittee shall inspect the facility to prevent malfunctions and deterioration, operator errors and discharges that may cause or lead to the release of wastes or contaminated materials to the environment or create a threat to human health or the environment. The Permittee shall complete these general inspections no less than quarterly in the following areas: Waste placement, adequate covering to avoid a fire hazard, compaction, cover, fences and access controls, roads, run-on/run-off controls, final and intermediate cover, litter controls and records. The Permittee shall record the inspections in the daily operating record on the day of the inspection. The Permittee shall correct the problems identified in the inspections in a timely manner and document the corrective actions in the daily operating record.

H. Recordkeeping



The Permittee shall maintain and keep on file at the local post office, a daily operating record and other general records of landfill operation as required by R315-302-2(3) of the Utah Administrative Code. The landfill operator, or other designated personnel, shall date and sign the daily operating record at the end of each operating day. The daily operating record shall consist of the following two types of documents:

1. Records related to the daily landfill operation or periodic events including:
  - a. The number of loads of waste and the weights or estimates of weights or volume of waste received each day of operation and recorded at the end of each operating day;
  - b. Major deviations from the approved plan of operation recorded at the end of the operating day the deviation occurred;
  - c. Results of monitoring required by this Permit recorded in the daily operating record on the day of the event or the day the information is received;
  - d. Records of all inspections conducted by the Permittee, results of the inspections, and corrective actions taken.
2. Records of a general nature including:
  - a. A copy of this Permit including all attachments;
  - b. Results of inspections conducted by representatives of the Director and representatives of the local health department, when forwarded to the Permittee;
  - c. Closure and Post-closure care plans; and
  - d. Records of employee training.

I. Reporting

The Permittee shall prepare and submit to the Director an annual report as required by R315-302-2(4) of the Utah Administrative Code. The annual report shall include the period covered by the report, the annual quantity of waste received, an annual update of the financial assurance mechanism and all training programs completed.

J. Roads

The Permittee shall improve and maintain all access roads within the landfill boundary that are used for transporting waste to the landfill for disposal as necessary to assure safe and reliable all-weather access to the disposal area.

K. Litter Control

Litter resulting from operations of the landfill shall be minimized as described in the Plan of Operations Attachment 2.

L. Disposal of Special Wastes

The Permittee may dispose of animal carcasses at the landfill working face and shall cover them with other solid waste or earth by the end of the operating day on which the carcasses are received. Alternatively, the Permittee may dispose of animal carcasses in a special trench or pit prepared for the acceptance of dead animals. If a special trench is used, the Permittee shall cover animals placed in the trench with at least six inches of earth at the end of each operating day.

IV. CLOSURE REQUIREMENTS

A. Closure

The Permittee shall place the final cover of the landfill as described in Attachment 4. The final cover shall meet, at a minimum, the standard design for closure as specified in R315-305-5(5)(b) of the Utah Administrative Code.

B. Title Recording

The Permittee shall meet the requirements of R315-302-2(6) of the Utah Administrative Code by recording a notice with the Millard County Recorder as part of the record of title that the property has been used as a landfill. The notice shall include waste disposal locations and types of waste disposed. The Permittee shall provide the Director a copy of the recorded notice.

C. Post-Closure Care

The Permittee shall perform Post-Closure Care at the closed landfill in accordance with the Post-Closure Care Plan in Attachment 4. Post-closure care shall continue until all waste disposal sites at the landfill have stabilized and the finding of R315-302-3(7)(c) of the Utah Administrative Code is made.

D. Financial Assurance

The Permittee shall keep in effect and active the currently approved financial assurance mechanism or another approved mechanism that meets the requirements

of R315-309 of the Utah Administrative Code and is approved by the Director to cover the costs of closure and post-closure care at the landfill. The Permittee shall adequately fund and maintain the financial assurance mechanism(s) to provide for the cost of closure and post-closure until termination of financial assurance in accordance with R315-309-11 of the Utah Administrative Code.

With each annual revision of the closure and post-closure care cost estimate, the Permittee shall determine the annual payments to be made to the trust fund by the following formula:

$$NP=[CE-CV]/Y$$

where NP is the next payment, CE is the current cost estimate for closure and post-closure care (updated for inflation or other changes), CV is the current value of the trust fund, and Y is the number of years remaining in the pay-in period.

E. Financial Assurance Annual Update

The Permittee shall submit an annual revision of closure and post-closure costs for inflation and financial assurance to the Director as part of the annual report as required by R315-309-2(2) of the Utah Administrative Code.

F. Closure Cost and Post-Closure Cost Revision

The Permittee shall submit a complete revision of the closure and post-closure cost estimates by the Closure Cost Revision Date listed on the signature page of this Permit.

## V. ADMINISTRATIVE REQUIREMENTS

A. Permit Modification

Modifications to this Permit may be made upon application by the Permittee or by the Director. The Permittee shall be given written notice of any permit modification initiated by the Director.

B. Permit Transfer

This Permit may be transferred to a new Permittee in accordance with R315-310-11 of the Utah Administrative Code.

C. Expansion

This Permit is for the operation of a Class IVb Landfill according to the Plan of Operations described in Attachment 2.

Any expansion of the landfill facility beyond the property boundaries designated in the description contained Attachment 2 shall require submittal of a new permit application in accordance with R315-310 of the Utah Administrative Code.

Any addition to the acceptable wastes described in Section I-B shall require a permit modification in accordance with R315-311 of the Utah Administrative Code.

D. Expiration

If the Permittee desires to continue operating this landfill after the expiration date of this Permit, the Permittee shall submit an application for permit renewal at least six months prior to the expiration date, as shown on the signature (cover) page of this Permit. If the Permittee submits a timely permit renewal application and the permit renewal is not complete by the expiration date, this Permit shall continue in force until renewal is completed or denied.